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WASHINGTON DC 20001-5303

In re Application of:
Luconi et al.
Serial No.: 10/048,013
Filed: April 29, 2002
Attorney Docket No.: LUCONI1

DECISION ON PETITION TO
WITHDRAW THE HOLDING
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on January 6, 2004, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed June 3, 2003. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed an Office action to applicants on June 3, 2003, setting a three-month statutory time period for reply. On December 12, 2003, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a response to the Office action was timely filed on August 21, 2003, as evidenced by a copy of their date stamped response showing receipt by the USPTO on August 21, 2003. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED** retroactively as the case is no longer in abandoned status.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Bruce Kisliuk
Director, Technology Center 1600